



FEDERAL
RESERVE BANK OF
PHILADELPHIA

LEGAL DEPARTMENT

395716 ORIGINAL (Red)

October 15, 2001

Ms. Carlyn Winter Prisk (3HS11)
U.S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

RE: Lower Darby Creek Area Superfund Site

Dear Ms. Prisk:

The letter from your office dated October 4, 2001, in connection with the above-referenced matter and addressed to Mr. Robert McCarthy, has been referred to me for a response.

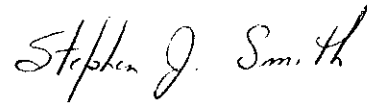
The Federal Reserve Bank of Philadelphia (the "Bank") is one of twelve Federal Reserve Banks in the United States. It is organized under the provisions of the Federal Reserve Act, which is located throughout Title 12 of the U.S. Code, and performs the bank regulatory and other financial services that it is authorized to perform thereunder. The Bank's building is currently located at 6th and Arch Streets, in Philadelphia, but the Bank also leases a contingency site located at 106 Aberdeen Avenue in Wayne, Pennsylvania. From prior to 1958 until 1976, the Bank was located at 9th and Chestnut Streets in Philadelphia. The Bank did not during those years own or operate, nor does it now own or operate, any other facilities at any other locations.

In connection with its business activities, the Bank does not generate or use any hazardous substances as defined in 42 USC §9604(e), nor any pollutants and/or contaminants as defined in 42 USC §9601(33). Indeed, the only waste which the Bank generates and which, I believe, it has ever generated, is "wet" and "dry" municipal waste (garbage and other refuse) and recyclable waste (mostly paper) of the kind routinely generated by any comparable office building operating in Philadelphia. Given the foregoing circumstance, there is little additional information which I can provide to you which is responsive to each of the questions contained on Enclosure F; nevertheless, I have endeavored to answer these questions in as much detail as possible. These answers are attached to this letter.

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If you have any questions regarding this response to your letter, or if I can be of any further assistance to you in this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Stephen J. Smith".

Stephen J. Smith
Assistant Counsel

cc: Edward M. Mahon
Ron O'Brien
Warren Voigt

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**ANSWERS TO QUESTIONS
SET FORTH ON ENCLOSURE F**

1. Bank personnel are aware of only one person in particular – a retired, former employee - who we believe has personal knowledge of the Bank's waste disposal practices between 1958 and 1976. That person is Mr. Anthony Teti, who was an employee in the Bank's Building Department; his last known address is [REDACTED]
[REDACTED] A small number of the Bank's current employees were employed for at least a portion of the period 1958 – 1976, and would have general knowledge regarding the Bank's operations at that time; however, it does not appear to be the case that any of these current employees has any personal knowledge of the Bank's waste disposal practices during 1958 through 1976.
2. To the knowledge of Bank personnel, the Bank did not between 1958 and 1976, nor does it now, generate, store, treat, transport, recycle, formulate or dispose of any hazardous substance, hazardous waste, pollutant, or contaminant. The Bank does, and between 1958 and 1976 presumably did, generate and contract for the removal from its premises of "wet" and "dry" – or municipal - trash (including garbage and other refuse) and (perhaps) certain recyclable waste (mostly paper). However, the Bank does not have in its possession, nor has it maintained, any records concerning the generation and disposal of such municipal trash and recyclable waste between 1958 and 1976.
3. To the knowledge of Bank personnel, the Bank did not, at its location in Philadelphia between 1958 and 1976, or at any other time, use, generate, purchase, store or otherwise handle any hazardous substance.
4. As indicated above, the only waste generated and disposed of by the Bank between 1958 and 1976 would be municipal trash and (perhaps) recyclable waste. The Bank has no extant records concerning the generation, composition, quantity and disposal of this municipal trash and recyclable waste during those years.
5. To the knowledge of Bank personnel, the Bank has never contracted or made arrangements with Clearview, Folcroft, Folcroft Annex, Eastern Industrial, Tri-County Hauling, S. Buckley Trash Hauling, Barratt Rupurt, McCloskey Engineering, ABM Disposal Services, Marvin Jones, Jonas Waste Removal, Paolino Company, or Shiavo Bros., Inc. to remove or transport material from its premises in Philadelphia between 1958 and 1976. The Bank has no records concerning the generation or disposal of any of its municipal trash and recyclable waste between 1958 and 1976.
6. To the knowledge of Bank personnel, no employee of the Bank disposed of or treated, arranged for the disposal or treatment, or arranged for the transportation of, materials at and/or to Clearview, Folcroft and Folcroft Annex of other areas of the Site.
7. N/A

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8. Neither the Bank nor any of its employees have ever spilled or caused a release of any chemicals, hazardous substances, and/or hazardous waste, and/or any non-hazardous solid waste on any portion of Clearview, Folcroft and Folcroft Annex or any other portion of the Site.

9. As indicated in our answer to Question 1, Bank personnel are aware of only one former employee – Mr. Teti – who may have knowledge concerning the removal and disposal of the Bank's municipal and recyclable waste between 1958 and 1976.

10. Neither the Bank nor any other person acting on its behalf have ever conducted any assessment or investigation relating to contamination at Clearview, Folcroft and Folcroft Annex or any other areas of the Site.

11. The Bank has no information or knowledge of any kind or nature regarding any other party or parties who or which may have information which may assist the EPA in its investigation of the Site, including Clearview, Folcroft and Folcroft Annex, or who may be responsible for the generation of, transportation to, or release of contamination at the Site.

12.a. The employees of the Bank who have prepared these answers, or assisted in the preparation of these answers, are:

Stephen J. Smith, Assistant Counsel, (215) 574-6617
Warren Voigt, Purchasing Department (215) 574-6280
Ron O'Brien, Manager of Plant Operations, (215) 574-6298

12.b. All future correspondence or telephone calls should be directed to Stephen J. Smith, Assistant Counsel, Legal Department, Federal Reserve Bank of Philadelphia, Philadelphia, PA 19106; telephone: (215) 574-6617.

13. Inasmuch as the Bank, to the knowledge of Bank personnel, did not prepare and/or maintain any records concerning the generation and disposal of the Bank's municipal and recyclable waste between 1958 and 1976, no such records have been destroyed in accordance with the Bank's **Records Management Retention Manual**. If, notwithstanding this fact, you would nevertheless like to obtain a copy of this Manual, please let me know.